



## MEETING OF THE CITY COUNCIL

Cheryl Cox, Mayor

Steve Castaneda, Councilmember  
Patricia Aguilar, Councilmember  
Pamela Bensoussan, Councilmember  
Rudy Ramirez, Councilmember

James D. Sandoval, City Manager  
Glen R. Googins, City Attorney  
Donna R. Norris, City Clerk

November 6, 2012  
2:00 p.m.

Council Chambers  
City Hall – Building 100  
276 Fourth Avenue

### CALL TO ORDER

**ROLL CALL:** Councilmembers Aguilar, Bensoussan, Castaneda, Ramirez and Mayor Cox

### PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

### SPECIAL ORDERS OF THE DAY

- INTRODUCTION BY MARKETING AND COMMUNICATIONS MANAGER ANNE STEINBERGER OF EMPLOYEE OF THE MONTH STEPHANIE KINGSTON, SPECIAL EVENTS COORDINATOR
- PRESENTATION ON CHULA VISTA HOLIDAY SALES-MARKETING PROGRAM TO SUPPORT SHOPPING LOCALLY
- PROCLAMATION PROCLAIMING WEDNESDAY, NOVEMBER 7, 2012 AS LAW ENFORCEMENT RECORDS AND SUPPORT PERSONNEL DAY
- PRESENTATION OF A PROCLAMATION TO CHULA VISTA COMMUNITY COLLABORATIVE EXECUTIVE DIRECTOR MARGARITA HOLGUIN AND CITY OF CHULA VISTA PROJECT COORDINATOR ANGELICA DAVIS PROCLAIMING NOVEMBER 10 THROUGH NOVEMBER 18, 2012 AS NATIONAL HUNGER AND HOMELESS AWARENESS WEEK IN THE CITY OF CHULA VISTA
- PRESENTATION OF A PROCLAMATION TO JASON LALAK OF SMALL BUSINESS SATURDAY PROCLAIMING SATURDAY, NOVEMBER 24, 2012 AS SMALL BUSINESS SATURDAY IN THE CITY OF CHULA VISTA

## CONSENT CALENDAR

(Items 1-4)

*The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed immediately following the Consent Calendar.*

1. APPROVAL OF MINUTES of August 14, and August 15, 2012.

Staff recommendation: Council approve the minutes.

2. A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING FOR FILING THE FINAL ENGINEER'S REPORT FOR ELM AVENUE ASSESSMENT DISTRICT 2010-02 (Director of Public Works)
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE DEFERRAL OF ASSESSMENTS; ESTABLISHING THE RATE OF INTEREST AT FIVE PERCENT (5%) PER YEAR, WITH A MAXIMUM FINANCING PERIOD OF TEN YEARS; AND APPLYING SUCH INTEREST RATE AND DEFERRAL PERIOD TO ALL DEFERRALS FOR ELM AVENUE ASSESSMENT DISTRICT 2010-02 (Director of Public Works)
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMOUNTS OF THE FINAL ASSESSMENTS FOR PROPERTIES WITHIN ASSESSMENT DISTRICT 2010-02, AUTHORIZING THE PLACEMENT OF LIENS IN THE AMOUNT OF THE ASSESSMENTS ON THE RESPECTIVE PROPERTIES, AND AUTHORIZING THE COLLECTION OF THE ASSESSMENTS AT THE SAME TIME AND IN THE SAME MANNER AS OTHER CITY PROPERTY TAXES AND ASSESSMENTS ARE COLLECTED BY THE COUNTY RECORDER OF THE COUNTY OF SAN DIEGO (Director of Public Works)

Staff recommendation: Council adopt the resolutions.

3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING (1) AN AMENDMENT TO THE FISCAL YEAR 2012/2013 HUD ANNUAL ACTION PLAN TO REPROGRAM \$357,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO TWO ELIGIBLE PROJECTS; AND (2) APPROPRIATE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$245,000 TO THE GREEN HOMES FOR ALL-REHABILITATION AND ENERGY UPGRADE PROGRAM AND \$90,000 TO THE COMMUNITY HOUSING IMPROVEMENT PROGRAM (4/5THS VOTE REQUIRED) (Assistant City Manager/Director of Development Services)

Staff recommendation: Council adopt the resolution.

4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH CHABIN CONCEPTS, INC., IN THE AMOUNT OF SEVENTY FIVE THOUSAND DOLLARS (\$75,000) TO CONDUCT AN ANALYSIS OF THE CITY'S EXISTING AND POTENTIAL BUSINESS CLUSTERS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND RELATED DOCUMENTS (Assistant City Manager/Director of Development Services)

Staff recommendation: Council adopt the resolution.

## **ITEMS REMOVED FROM THE CONSENT CALENDAR**

### **PUBLIC COMMENTS**

*Persons speaking during Public Comments may address the Council on any subject matter within the Council's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from discussing or taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.*

### **PUBLIC HEARINGS**

*The following item(s) have been advertised as public hearing(s) as required by law. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.*

5. PRESENTATION OF THE 2011/2012 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) AND SOLICITATION OF INPUT ON FUNDING PRIORITIES OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME), AND EMERGENCY SOLUTIONS GRANT (ESG) FOR THE 2013/2014 PROGRAM YEAR (Assistant City Manager/Director of Development Services)

Staff recommendation: Council accept the year-end report and conduct the public hearing to solicit input from the community.

## **BOARD/COMMISSION/COMMITTEE REPORTS**

### **Time Certain – 3:30 p.m.**

6. CONSIDERATION OF AN ORDINANCE AND A RESOLUTION IMPLEMENTING PROPOSITION C, ADOPTED AT THE JUNE 2012 GENERAL MUNICIPAL ELECTION (Proposition "C" Implementation Subcommittee - Councilmembers Aguilar and Ramirez)

Subcommittee recommendation: Council place the following ordinance on first reading and adopt the resolution:

- A. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS 2.11.030, 2.11.035, 2.11.060, 2.11.090, 2.28.110 C, AND ADDING CHAPTER 2.73 (LEGISLATIVE COUNSEL) TO THE CHULA VISTA MUNICIPAL CODE IN ORDER TO IMPLEMENT PROPOSITION "C," ADOPTED AT THE JUNE 2012 MUNICIPAL ELECTION (FIRST READING)
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER TO SOLICIT PROPOSALS FOR LEGISLATIVE COUNSEL AND TO ESTABLISH THE ADMINISTRATIVE AND BUDGETARY PROCESS FOR THE OFFICE OF LEGISLATIVE COUNSEL

## **OTHER BUSINESS**

- 7. CITY MANAGER'S REPORTS
- 8. MAYOR'S REPORTS
- 9. COUNCILMEMBERS' COMMENTS

## **CLOSED SESSION**

*Announcements of actions taken in Closed Session shall be made available by noon on Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).*

- 10. A. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Jim Sandoval, Scott Tulloch, Glen Googins, Simon Silva, Maria Kachadoorian and Kelley Bacon.

Employee organizations: CVEA and Mid Managers/Professionals

- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9(b)

One (1) case.

- C. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

Guadalupe Gonzalez v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2011-00097857-CU-PA-CTL

**ADJOURNMENT** to the next Regular City Council Meeting on November 20, 2012, at 2:00 p.m., in the Council Chambers.

*Materials provided to the City Council related to any open-session item on this agenda are available for public review at the City Clerk's Office, located in City Hall at 276 Fourth Avenue, Building 100, during normal business hours.*

*In compliance with the  
AMERICANS WITH DISABILITIES ACT*

*The City of Chula Vista requests individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service, contact the City Clerk's Office at (619) 691-5041 (California Relay Service is available for the hearing impaired by dialing 711) at least forty-eight hours in advance of the meeting.*